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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,879	06/30/2000	Michael A. Puscar	00-40174-US	9994
28977	7590	12/01/2004	EXAMINER	
MORGAN, LEWIS & BOCKIUS LLP 1701 MARKET STREET PHILADELPHIA, PA 19103-2921			NGUYEN, CINDY	
			ART UNIT	PAPER NUMBER

2161

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/607,879	Applicant(s) PUSCAR ET AL.	
	Examiner Cindy Nguyen	Art Unit 2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This is in response to communication filed 07/28/04.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/28/04 has been entered.

1. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 24-39 are rejected under 35 U.S.C. 102(b) as being unpatentable over Sergey et al. "The Anatomy of a large-scale hypertextual web search engine", 7th International World Wide Web conference, Brisbane, Qld. Australia, 14-18 April 1998, in Computer-Networks and ISDN-systems (Netherlands), vol. 30, no. 1-7, p.107-17, April 1998 in view of Dean et al. (US 6665837) (Dean).

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Regarding claims 24, 30, 34, and 38, Sergey discloses: A method, a computer-readable medium and system of providing news relating to a specified subject to a subscriber, comprising the steps of:

(a) selecting a plurality of Web sites operated by content providers and relating to a category to which the specified subject relates (page 3 at the fifth paragraph: “The google search engine...search results”, Sergey);

b) automatically determining the relevancy of at least one Web page in each selected Web site by scanning for words relating to the specified subject (page 3 at the sixth paragraph: “The citation ...a great deal”, Sergey);

(c) automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type (page 11 at 4.5 searching and 4.5.1 Ranking system, Sergey);

(e) providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers, wherein the providing comprises transmitting the compiled list from a web server to the subscriber over the Internet (section 4.3, pages 9-10, Sergey);

However, Sergey didn't disclose: (d) compiling a list of relevant Web pages based only on the results of steps (b) and (c), wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and to be of a news content type in step (c), wherein the compiled list includes hyperlinks to the relevant web'pages. On the other hand, Dean discloses: (d) compiling a list of relevant Web pages (ranking pages) based only on the results of steps (b) and (c), wherein the list of relevant web pages includes only those web pages that are determined both to be relevant in step (b) and to be of a news content type (not to be

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advertisements) in step (c) (col. 3, lines 38-50, Dean), wherein the compiled list includes hyperlinks to the relevant web pages (col. 4, lines 16-20, Dean). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the step (d) above in the system of Sergey as taught by Dean. The motivation being to enable the system provides a good ranking process to improve the ranking of pages in the search result so that just pages related to a particular topic are identified.

In addition, Sergey/Dean discloses: a processor (URL server, URL resolver, in figure at page 6, Sergey);

a memory connected to said processor (repository, in figure at page 6, Sergey);

a display in communication with said processor (figure 4 at page 12, Sergey);

in put device in communication with said processor (page 13, last paragraph, Sergey).

Regarding claims 25, 31, 35 and 39, all the limitations of these claims have been noted in the rejection of claims 24, 30, 34, and 38. It is therefore rejected as set forth above.

Regarding claims 26, 28, 32 and 36, all the limitations of these claims have been noted in the rejection of claims 24, 30, 34, and 38. It is therefore rejected as set forth above. In addition, Sergey/Dean discloses: wherein the plurality of web sites is selected based on the frequency with which relevant links have been located in prior iterations of the method with respect to the specified subject (col. 4, lines 22-32, Dean).

Regarding claims 27, 29, 33 and 37, all the limitations of these claims have been noted in the rejection of claims 24, 30, 34, and 38. It is therefore rejected as set forth above. In addition, Sergey/Dean discloses: wherein the plurality of web sites is selected based on the frequency with

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which relevant links have been located in prior iterations of the method with respect to the same category (same topic) (col. 3, lines 46-50 and col. 4, lines 22-32, Dean).

3. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4025. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen
November 5, 2004



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100